

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL CASE NO. 1:08CV419

THE WALKER F. RUCKER FAMILY TRUST,

Plaintiff,

v.

LINCOLN NATIONAL CORPORATION,
Successor-in-Interest to Jefferson-Pilot
Corporation, DAVID A. STONECIPHER, JON
A. BOSCIA and DENNIS R. GLASS,

Defendants.

FINAL JUDGMENT
OF DISMISSAL

This matter came for hearing before the undersigned on the Joint Motion of the parties and the Special Committee of the Board of Directors of Lincoln National Corporation (the “Committee”) to approve the dismissal of this action. The Court has reviewed the motions and memorandum of law, the arguments of the parties, and the filings of record in this case and hereby finds and concludes as follows:

1. Lincoln National Corporation provided notice of the Hearing on the Proposed Dismissal of this action in the manner set forth in this Court’s Order regarding the Proposed Dismissal (the “Notice”).

2. The Notice constituted the best notice reasonable and practicable under the circumstances and met the requirements of Fed. R. Civ. P. 23.1 and due process.

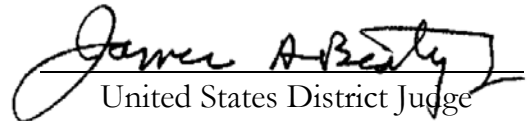
3. No one has submitted a timely objection to the dismissal of this action as provided for in the Notice.

4. The Stipulation of the parties regarding dismissal of this action, filed on December 22, 2009, was not the product of any collusion or fraud.

5. The dismissal of this action, as reflected in the Stipulation of the parties filed on December 22, 2009, is reasonable and in the best interests of Lincoln National Corporation and the stockholders of Lincoln National Corporation.

WHEREFORE, it is **ORDERED, ADJUDGED AND DECREED** that this action, and all claims asserted herein, is hereby dismissed with prejudice, with each party to bear its own costs and attorneys' fees.

This, the 1st day of March, 2010.


United States District Judge